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June 26, 2008

BY FACSIMILE
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The Honorable Victor Marrero
United States District Judge
United States District Court
for the Southern District of New York
500 Pearl Street, Suite 660
New York, NY 10007

USDS SDNY
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Re: In re Municipal Derivatives Antitrust Litigation, MDL No. 1950,
Master Docket No. 08 Civ. 2516

Dear Judge Marrero:

We represent Plaintiffs in the cases consolidated, or soon to be transferred and consolidated, in this Court, and write in response to yesterday's letter to the Court sent by Joseph F. Wayland on behalf of thirty-two defendants.

Plaintiffs believe that the July 11, 2008 conference, set by the Court's order of June 20, 2008, should not be postponed. It is our experience that complex cases benefit from early judicial management. Contrary to the Defendants' concerns, Plaintiffs' counsel have met to discuss not only a structure for the organization of Plaintiffs' efforts in this case, but have also achieved a common proposal for addressing certain case administrative issues as well as deadlines for mandatory initial disclosures, ESI issues, discovery, class certification, and other significant case milestones. Consistent with the *Manual for Complex Litigation*, counsel for all of the plaintiffs who have filed cases, which are before the Court or will be transferred, have met and drafted a proposed Case Management Order No. 1, which embodies that proposal. See *Manual for Complex Litigation* (Fourth) § 10.221 ("In some cases the attorneys coordinate their activities without the court's assistance, and such efforts should be encouraged."). Maintaining the scheduled conference date will ensure that this case proceeds expeditiously and efficiently from the outset.

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Plaintiffs will be sending a draft joint Rule 16 letter and proposed Case Management Order No. 1 to defendants promptly. The parties should be able to finalize these documents well in advance of the July 11 conference. On July 11, Plaintiffs' counsel will be prepared to address, as a group, all scheduling issues. Thus, contrary to Defendants' concerns, there is no need to delay the July 11 conference. Indeed, sound case management principles counsel that the conference proceed as scheduled "to secure the just, speedy, and inexpensive determination" of this case. See Federal Rule of Civil Procedure 1.

Respectfully submitted,

Steven E. Fineman 6/26/08

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On behalf of the *City of Oakland* plaintiff

Robert G. Eisler 6/26/08

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William A. Isaacson 6/26/08

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On behalf of the *Haywood County* plaintiff

Solomon B. Cera 6/26/08

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Gold Bennett Cera & Sidener LLP
On behalf of the *Central Bucks School District* plaintiffs

William Carmody 6/26/08

William Carmody
Susman Godfrey L.L.P.
On behalf of the *City of Baltimore*
(case not yet filed)

cc: All Counsel (by e-mail)

769569.1

Request GRANTED. By memo-endorsed
OCPY dated 6-25-08 the Court
already determined that the
conference on 7-11-08 shall proceed
as scheduled for the purpose of reviewing
procedural and scheduling issues.

SO ORDERED:
6-26-08

DATE VICTOR MARRERO, U.S.D.J.